

BROADBAND FACILITIES INSTALLATION AND USE REQUEST APPLICATION

For Use At All California State Agencies

New: (1/08)

This application is for the installation of broadband facilities within State of California Rights-of-Way or non-telecommunications real property interests, pursuant to Executive Order S-23-06. It is accepted by all State Agencies granting such access. For collocation of wireless facilities on existing State telecommunications infrastructure, please contact the Department of General Services Telecommunications Division (DGS Telecom) at (916) 657-9903 or www.td.dgs.ca.gov for the required application. Applications for the installation of wireless broadband facilities may require that a technical analysis be performed by DGS Telecom, upon preliminary approval by the State Agency to which this application is submitted.

For installation requests in federal, municipal, or special district jurisdictions, please contact the respective entity for their permitting policy.

This application is not deemed complete until all necessary information for the State Agency to make a determination has been received.

FOR AGENCY USE
PERMIT NO.
DIST/CO/RTE/PM
SIMPLEX STAMP
DATE OF SIMPLEX STAMP
WORK ORDER NO.

1. NAME OF STATE AGENCY			2. ASSESSOR'S PARCEL NUMBER(S)		
3. CITY / TOWN			4. COUNTY		
5. ADDRESS OR STREET NAME			6. CROSS STREET (<i>Distance and direction from site</i>)		
7. ROUTE	8. POSTMILE	9. PORTION OF RIGHT-OF-WAY			
10. LAND SECTION		11. TOWNSHIP	12. RANGE		13. MERIDIAN
14. IDENTIFY FACILITY(IES) TO BE AFFECTED BY THIS PROJECT (e.g., Freeway, Structure, Unit of State Park System, Reservoir, etc.)					
15. WORK TO BE PERFORMED BY <input type="checkbox"/> Own Forces <input type="checkbox"/> Contractor		16. <input type="checkbox"/> DOUBLE PERMIT Parent Permit Number _____			
17. EST. START DATE		18. EST. COMPLETE DATE		19. EST. COST OF PROJECT WITHIN STATE RIGHTS-OF-WAY	
EXCAVATION	20. MAX. DEPTH	21. AVG. DEPTH	22. AVG. WIDTH	23. LENGTH	24. SURFACE TYPE
CONDUIT	25. PRODUCT TYPE		26. DIAMETER	27. VOLTAGE / PSIG	
28. Completely describe work to be done within STATE rights-of-way or real property interests: All dimensions shall be in U.S. Customary (English) Units. Attach 6 complete sets of FOLDED plans (folded 8.5" x 11"), and any applicable specifications, calculations, maps, etc.					
29. Is a city, county, or other agency involved in the approval of this project? <input type="checkbox"/> YES <input type="checkbox"/> NO If "YES", please list _____ If "NO", please complete page # ____ of this application.					
30. Which environmental documents are being, or will be, submitted as a part of this request? <input type="checkbox"/> CATEGORICALLY EXEMPT <input type="checkbox"/> NEGATIVE DECLARATION <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> OTHER _____					
31. Will this project cause a substantial change in the significance of a historical resource (45 years or older), or cultural resource? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES", provide a description) _____					
32. Is this project on an existing highway or street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock out cropping or a historic building? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "YES", provide a description) _____					

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33. Will the proposed project require the disturbance of soil? ☐ YES ☐ NO
If "YES", estimate the area within State rights-of-way in square feet AND acres: _____ ft² AND _____ acres.
, estimate the area outside State rights-of-way in square feet AND acres: _____ ft² AND _____ acres.

34. Will the proposed project require dewatering? ☐ YES ☐ NO
If "YES", estimate total gallons AND gallons/month: _____ gallons AND _____ gallons/month
SOURCE*: ☐ Storm System ☐ Non-Storm Water
(* See Caltrans SWMP for definitions of non-storm water discharge: <http://www.dot.ca.gov/hq/env/stormwater/index.htm>)

35. How will any storm water or ground water be disposed of from within or near the limits of this proposed project?
☐ Storm Drain System ☐ Combined Sewer/Storm System** ☐ Storm System Retention Basin
☐ Other (explain): _____
** <http://www.waterboards.ca.gov/regions.html>

36. FOR THE RECLAMATION BOARD: <i>Names and addresses of adjacent property owners (attach others if applicable)</i>		
NAME	ADDRESS	ZIP CODE
NAME	ADDRESS	ZIP CODE
NAME	ADDRESS	ZIP CODE
NAME	ADDRESS	ZIP CODE

37. NAME of APPLICANT or ORGANIZATION <i>(Print or Type)</i>		
38. ADDRESS of APPLICANT or ORGANIZATION WHERE PERMIT IS TO BE MAILED <i>(Include City and Zip Code)</i>		
39. PHONE NUMBER	40. FAX NUMBER	41. E-MAIL ADDRESS
42. NAME of AUTHORIZED AGENT / ENGINEER <i>(Print or Type)</i>		43. IS LETTER OF AUTHORIZATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO
44. ADDRESS of AUTHORIZED AGENT / ENGINEER <i>(Include City and Zip Code)</i>		
45. PHONE NUMBER	46. FAX NUMBER	47. E-MAIL ADDRESS

SIGNATURE INDICATES AN UNDERSTANDING OF, AND AGREEMENT WITH, THE LEGAL PROVISIONS BY THE STATE AGENCY SPECIFIED IN BOX 1 OF THIS APPLICATION, AS DELINEATED ON THE FOLLOWING PAGES.

The applicant understands, and herein agrees, that this application does not override any existing statutes that may cause the limitation or denial of this request. In addition, the State Agency will need to consider impacts on pre-existing contractual and concession obligations.

48. SIGNATURE of APPLICANT or AUTHORIZED AGENT	49. DATE
50. PRINT or TYPE NAME	51. TITLE

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FEE CALCULATION – FOR CALTRANS USE					
<input type="checkbox"/> CREDIT CARD NAME ON CARD/CHECK _____ PHONE NUMBER _____ <input type="checkbox"/> CHECK NUMBER _____ <input type="checkbox"/> CASH					
CALCULATED BY		(1)	(2)		
REVIEW 1. _____ HOURS @ \$ _____ * 2. _____ HOURS @ \$ _____ *	1. FEE / DEPOSIT \$ _____	DATE	1. FEE / DEPOSIT \$ _____	DATE	TOTAL FEE / DEPOSIT \$ _____ \$ _____
INSPECTION 1. _____ HOURS @ \$ _____ * 2. _____ HOURS @ \$ _____ *	1. FEE / DEPOSIT \$ _____	DATE	1. FEE / DEPOSIT \$ _____	DATE	TOTAL FEE / DEPOSIT \$ _____ \$ _____
FIELD WORK _____ HOURS @ \$ _____ *	\$ _____		\$ _____		
EQUIPMENT AND MATERIALS	DEPOSIT \$ _____	DATE	DEPOSIT \$ _____	DATE	DEPOSIT \$ _____
TOTAL COLLECTED CASHIER'S INITIALS	\$ _____ _____		\$ _____ _____		\$ _____ _____
<i>*The current hourly rate will be assessed and set annually by the State Agency.</i>					
PERFORMANCE BOND <input type="checkbox"/> AMOUNT \$ _____ PAYMENT BOND <input type="checkbox"/> AMOUNT \$ _____ LIABILITY INSURANCE <input type="checkbox"/> AMOUNT \$ _____					

The following questions need to be completed when the proposed project **DOES NOT** involve a City, County or other public agency **AND** the project is within Caltrans' highway rights-of-way.

Your answers to these questions will assist departmental staff in identifying any physical, biological, social or economic resources that may be affected by your proposed project within the State highway rights-of-way. And, to determine which type of environmental studies may be required to approve your application for an encroachment permit.

It is the applicant's responsibility for the production of all required environmental documentation and supporting studies, in some cases this may be costly and time-consuming. If possible, attach photographs of the location of the proposed project.

Please answer these questions to the best of your ability. Provide a description of any "YES" answers (type, name, number, etc.)

1. Will any existing vegetation and/or landscaping within the highway rights-of-way be disturbed?

2. Are there waterways (e.g. river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the project or highway rights-of-way?

3. Is the proposed project located within five miles of the coast line?

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-
-
4. Will the proposed project generate construction noise levels greater than 86 dBA (e.g. jack-hammering, pile driving)?
-
-

5. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public?
-
-

6. Are there any recreational trails or paths within the limits of the proposed project or highway rights-of-way?
-
-

7. Will the proposed project impact any structures, buildings, rail lines, or bridges within highway rights-of-way?
-
-

8. Will the proposed project impact access to any businesses or residences?
-
-

9. Will the proposed project impact any existing public utilities or public services?
-
-

10. Will the proposed project impact existing pedestrian facilities, such as sidewalks, crosswalks, or overcrossings?
-
-

11. Will new lighting be constructed within or adjacent to highway rights-of-way?
-
-

STATE AGENCY LEGAL PROVISIONS

Department of Transportation (Caltrans)

The applicant, understands and herein agrees to that an encroachment permit can be denied, and/or a bond required for non-payment of prior or present encroachment permit fees. Encroachment Permit fees may still be due when an application is withdrawn or denied, and that a denial may be appealed, in accordance with the California Streets and Highways Code, Section 671.5. All work shall be done in accordance with Caltrans rules and regulations subject to inspection and approval.

The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnities, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of Indemnities. The Applicant, however, shall not be obligated to indemnify Indemnities for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees.

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DISCHARGES OF STORM WATER AND NON-STORM WATER: Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. Compliance with the Department's NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the start of any work. Information on the requirements may also be reviewed on the Department's Construction Website at: <http://www.dot.ca.gov/hq/construc/stormwater1.htm>.

Department of Water Resources (DWR)

All applications are subject to the requirements of Senate Bill No. 543 (Ch. 263, Statutes of 2005) and any regulations promulgated pursuant to that legislation. (See Wat. Code § 12899 et seq.) Only complete applications will be reviewed. Applicants are encouraged to review DWR's Encroachment Permit website to determine the appropriate information to submit, including drawings and specifications, in order to create a complete application package. DWR's Encroachment Permit website is located at: http://www.doe.water.ca.gov/Services/Real_Estate/Encroach_Rel/index.cfm.

Applicants are required to post a deposit of \$500 when submitting plans for review. This deposit will be applied against the total cost of review, which ranges from a \$500 to \$15,000 depending on the magnitude of encroachment activity and complexity of the project. An additional cost will be charged for any on-site inspections required by DWR. On-site inspection costs are an estimate of time required for DWR inspectors to inspect the construction of the encroachment activity. DWR inspectors ensure that plans approved for the Encroachment Permit are being followed and that the integrity of the SWP facilities is being maintained. These costs can range from one thousand to several thousand dollars. All costs must be paid in full prior to permit issuance.

The applicant understands, acknowledges, and agrees that by submitting this application, the applicant is responsible for payment of State costs for review of plans and for construction inspection of the permitted encroachment, whether or not the application is subsequently cancelled and whether or not the proposed encroachment is constructed. All work shall be performed in accordance with DWR rules and regulations and all work is subject to DWR inspection and approval.

Applicants are responsible for compliance with all Federal, State, and Local laws and regulations including, but not limited to, compliance with the California Environmental Quality Act (CEQA). Applicants are also responsible for obtaining all necessary permits and approvals from other Federal, State, and/or Local agencies as may be required.

The applicant understands, acknowledges, and agrees that the facilities or structures installed under the encroachment permit are subject to interruption, damage, destruction or removal at any time by State without compensation or liability in exercising any and all State's property rights or otherwise responding to public needs, and shall be subsequently reconstructed or restored at the applicant's expense. Applicant shall, on receipt of notice, alter or remove at its sole expense any property or structures to such extent as may be necessary to avoid or eliminate interference with any facilities or structures now constructed or to be constructed by State, or with any operations of State, or with any use by State of the land affected hereby.

The applicant understands, acknowledges, and agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnitees, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of Indemnitees. The Applicant, however, shall not be obligated to indemnify Indemnities for Claims arising from the sole negligence and willful misconduct of the Indemnitees.

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DISCHARGES OF STORM WATER AND NON-STORM WATER: Work within DWR's right-of-way shall be conducted in compliance with all applicable Federal, State, and Local laws and regulations, as well as with requirements specified in the encroachment permit.

The Reclamation Board

The applicant shall understand all projects that encroach upon lands regulated by the California Reclamation Board shall meet all the provisions set forth in the California Code of Regulations, Title 23. Waters, Division 1.

Department of Parks and Recreation (California State Parks)

Please see corresponding guidelines.

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APPLICATION INSTRUCTIONS

1. State the name of the State Agency whose jurisdiction covers the requested broadband installation area. If there are multiple State Agencies approval is being requested from, please list only the one which **this** application is being submitted to.
2. List the Assessors' Parcel Numbers (APNs), if any, this planned installation will cover.
3. Specify the city(ies) or town(s) which this planned installation will occur within.
4. Specify the county(ies) which this planned installation will occur within.
5. Specify the addresses which this planned installation will begin and end.
6. Specify the distance and the direction from the nearest cross streets to the work site (e.g., 500 ft north of C Street) which this planned installation will begin and end.
7. Identify the route (street or highway) which this planned installation will occur within or across.
8. Specify the postmiles at which this planned installation will begin and end. (For Caltrans only)
9. Identify the specific location(s) (pavement, shoulder, back of curb, slope, ditch, etc.) along the right-of-way or real property interest identified in Box 14 this planned installation will occur within.
10. Identify the Public Land Survey System (PLSS) section which this planned installation will occur within. (For Resources Agency departments only)
11. Identify the PLSS township this planned installation will occur within. (For Resources Agency departments only)
12. Identify the PLSS range this planned installation will begin and end. (For Resources Agency departments only)
13. Identify the PLSS meridian this planned installation will begin and end. (For Resources Agency departments only)
14. Identify the major rights-of-way or real property interests that will be affected by this planned installation.
15. Indicate whether a contractor or your own work forces will perform the planned installation.
16. Caltrans requires both the broadband provider and the contractor to each have a permit, also known as a "double permit." Please provide the second permit number, if available. If the number is not known, please place a "?" on the line.
17. Specify the estimated start date of the planned installation.
18. Specify the estimated completion date of the planned installation.
19. Estimate the cost for all work to be done within State right-of-way and funding source(s).
20. Specify the maximum depth of any excavation activities that will occur during the planned installation.
21. Specify the average depth of any excavation activities that will occur during the planned installation.
22. Specify the average width of any excavation activities that will occur during the planned installation.
23. Specify the length of any excavation activities that will occur during the planned installation.
24. Specify the surface type (concrete, asphalt, gravel, dirt, etc.) of the excavation area of this planned installation.
25. Specify the type of conduit or piping that will be used for this planned installation.
26. Specify the diameter of conduit of piping that will be used for this planned installation.
27. Specify the voltage and/or pound-force per square inch gauge (PSIG) of all hardware involved with this planned installation.
28. Describe the planned installation.
29. Answer question. Identify any cities, counties, or other agencies involved in the approval of this planned installation.
30. Specify the nature of this planned installation as it relates to the California Environmental Quality Act (CEQA). Attach a copy of the approved document and a copy of the Notice of Determination, if available.
31. Answer question. Provide description. A Historical Resource includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript that has historical or archeological significance, or significance in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.
32. Answer question. Provide description. In this context a Scenic Resource includes, but is not limited to, trees that display outstanding features of form or age; unique, massive rock formations; historic buildings that are rare examples of their period, style, design, or which have special architectural features and details of importance.
33. Indicate if the propose project will require the disturbance of soil. If "YES", estimate the area within AND outside of State Highway right-of-way in square feet AND acres.
34. Indicate if the proposed project will require dewatering. If "YES", estimate gallons and gallons/month, as well as the source.
35. Indicate how any storm water or ground water will be disposed of from or near the limits of the proposed project.
36. Provide the names and addresses of property owners adjacent to this planned installation. (For the Reclamation Board only)
37. Identify the name of the applicant or organization responsible for this planned installation.

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38. Identify the address of the applicant or organization where the permit will be mailed.
39. Provide a phone number the applicant or organization can be reached.
40. Provide a fax number the applicant or organization can receive faxes.
41. Provide an email address the applicant or organization can be reached.
42. Provide, if applicable, the name of the agent or engineer authorized to represent the true applicant or organization responsible for this planned installation. NOTE: The Department of Parks and Recreation does not accept applications from authorized agents.
43. Provide, if applicable, a letter from the true applicant or organization responsible that authorizes the agent or engineer to apply on their behalf.
44. Identify the address of the authorized agent or engineer.
45. Provide a phone number the authorized agent or engineer can be reached.
46. Provide a fax number the applicant or organization can receive faxes.
47. Provide an email address the applicant or organization can be reached.
48. Sign the application if and only if you understand, and agree with, the preceding statements and relevant legal provisions.
49. Identify today's date.
50. Print or type the name of the individual in Box 48.
51. State the title of the individual in Box 48.